

Notice of Allowability	Application No.	Applicant(s)	
	09/830,016	KIUCHI ET AL.	
	Examiner Robert Sellers	Art Unit 1712	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE and amendment filed March 7, 2006.
2. ☒ The allowed claim(s) is/are 34-37, 45 and 46.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>306</u> . 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
|---|--|

This is responsive to the Request for Continued Examination filed March 7, 2006.

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Liam McDowell on March 31, 2006.

The application has been amended as follows:

Cancel claims 26-33, 38 and ^{and} ~~44-47~~.

Claim 34, delete lines 11-14.

The following is an examiner's statement of reasons for allowance:

2. The amendment filed March 7, 2006 limits the ratio of tetraphenylolthane epoxy resin of formula (3) to phenolbiphenylaralkyl epoxy resin of formula (2) to 1:5 as supported in Table 5 on page 44 of the specification, thereby overcoming the 35 U.S.C. 112, first paragraph rejection applied in the Final rejection mailed November 7, 2005.
3. The specific ratio confines the amount of tetraphenylolthane epoxy resin of formula 2 to 16.7%. The closest prior art to Japanese Patent No. 9-268219 (page 6, paragraph 33) discloses the presence of other epoxy resins in amounts of 30% by weight or more.

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There is no motivation to employ the tetraphenylethane epoxy resin of Japanese Patent Nos. 57-38814 and 58-150581 at the claimed ratio of 1:5 relative to the phenolbiphenylaralkyl epoxy resin of Japanese '219 considering the minimum level of 30% by weight of another epoxy resin recited in Japanese '219.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Claims 26-29, 38 and 47 require the epoxy resin to consist essentially of the tetraphenylethane epoxy resin of formula (3) which is distinct from the blend of this epoxy resin with the phenolbiphenylaralkyl epoxy resin of formula (2) required in independent claim 34. Claims 30-33 and 44 defines a mixture of two or more biphenyl derivative epoxy resins also distinct from the particular claimed blend of claim 34. Previously cited Japanese Patent Nos. 5-97965, 11-140277 and 2000-103839 (abstracts) as well as European Patent No. 915,118 (page 2, paragraph 6) set forth a phenolbiphenylaralkyl epoxy resin combined with a phenolbiphenylaralkyl phenolic resin relevant to cancelled claims 30-33 and 44.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Sellers whose telephone number is (571) 272-1093. The examiner can normally be reached on Monday to Friday from 9:30 to 6:00. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

rs
3/31/2006



ROBERT E.L. SELLERS
PRIMARY EXAMINER